

**RESOLUTION NO. CZAB2-4-04**

*WHEREAS*, **BMS OJUS L.L.C.** had applied for the following:

- (1) RU-3M & IU-1 to IU-1

**REQUEST #1 ON PARCEL I**

- (2) RU-3M to BU-2

**REQUEST #2 ON PARCEL II**

**SUBJECT PROPERTY:** PARCEL I: The south 155' of Tract "A", SECOND REVISED PLAT OF AMENDED PLAT OF ALL OF BLOCKS 1 AND 2 L. TOMS' SUBDIVISION, Plat book 42, Page 56, less the west 115' and south 10' thereof and also less the external area of a 25' radius circular curve concave to the Northwest and being tangent to the east line of said Tract "A" and tangent to the north line of the south 10' of Tract "A". AND: PARCEL II: The north 155' of the south 310' of Tract "A", SECOND REVISED PLAT OF AMENDED PLAT OF ALL OF BLOCKS 1 AND 2 L. TOMS' SUBDIVISION, Plat book 42, Page 56, less the west 115' thereof.

**LOCATION:** The Northwest corner of N.E. 195 Street & West Dixie Highway, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 2 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

That said Property shall be developed substantially in accordance with the plans previously submitted, entitled "Proposed Self Storage Facility for BMS Ojus, LLC" prepared by Blitstein Design Associates, consisting of ten (10) sheets, dated stamped received August 9, 2004, said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to IU-1 on parcel I

(Item #1) and BU-2 on parcel II (Item #2) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to accept the proffered Declaration of Restrictions and to approve Items #1 & 2 was offered by Peggy A. Stroker, seconded by William C. Koppel, and upon a poll of the members present the vote was as follows:

Charles Baron	nay	William C. Koppel	aye
Kenneth Friedman	aye	Anita J. Pittman	nay
Patrick J. Gannon Jr.	aye	Peggy A. Stroker	aye
Adrienne F. Promoff		aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 2, that the requested district boundary changes to IU-1 on parcel I (Item #1) and BU-2 on parcel II (Item #2) be and the same are hereby approved and said property is hereby zoned accordingly.

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 5<sup>th</sup> day of October, 2004.

Hearing No. 04-10-CZ2-2

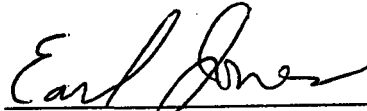
ej

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

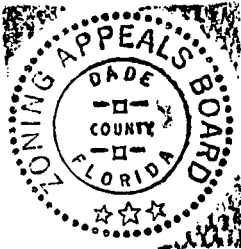
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 2, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-4-04 adopted by said Community Zoning Appeals Board at its meeting held on the 5<sup>th</sup> day of October, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19<sup>th</sup> day of October, 2004.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**





**Department of Planning and Zoning**

Stephen P. Clark Center  
111 NW 1st Street • Suite 1210  
Miami, Florida 33128-1902  
T 305-375-2800

miamidade.gov

October 29, 2004

BMS Ojus L.L.C.  
c/o Michael Larkin  
First Union Financial Center  
200 South Biscayne Blvd.  
Suite 850  
Miami, FL 33131

Re: Hearing No. 04-10-CZ2-2  
Location: The Northwest corner of N.E. 195 Street &  
West Dixie Highway, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. CZAB2-4-04, adopted by the Miami-Dade County Community Zoning Appeals Board 11, which **accepted your Declaration of Restrictions and approved your request for a district boundary changes to IU-1 on Parcel I, and BU-2 on Parcel II** on the above-described property. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If, as stipulated in the resolution, building permits and/or use, occupancy or completion certificates will be required, note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution. If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11<sup>th</sup> floor of the Stephen P. Clark Building, 111 N.W. 1<sup>st</sup> Street, Miami, FL 33128. The date of posting is **October 12, 2004**. In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosure

ADA Coordination  
Agenda Coordination  
Animal Services  
Art in Public Places  
Audit and Management Services  
Aviation  
Building  
Building Code Compliance  
Business Development  
Capital Improvements Construction Coordination  
Citizens' Independent Transportation Trust  
Commission on Ethics and Public Trust  
Communications  
Community Action Agency  
Community & Economic Development  
Community Relations  
Consumer Services  
Corrections & Rehabilitation  
Cultural Affairs  
Elections  
Emergency Management  
Employee Relations  
Empowerment Trust  
Enterprise Technology Services  
Environmental Resources Management  
Fair Employment Practices  
Finance  
Fire Rescue  
General Services Administration  
Historic Preservation  
Homeless Trust  
Housing Agency  
Housing Finance Authority  
Human Services  
Independent Review Panel  
International Trade Consortium  
Juvenile Assessment Center  
Medical Examiner  
Metro-Miami Action Plan  
Metropolitan Planning Organization  
Park and Recreation  
**Planning and Zoning**  
Police  
Procurement Management  
Property Appraiser  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Task Force on Urban Economic Revitalization  
Vizcaya Museum And Gardens  
Water & Sewer